

APPENDIX

I. The Act of October 10, 1940, 54 Stat. 1105, 5 U. S. C. 73e-1, reads as follows:

AN ACT

To provide for uniformity of allowances for the transportation of household goods of civilian officers and employees when transferred from one official station to another for permanent duty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That expenses which now or hereafter may be authorized by law to be paid from Government funds for the packing, crating, drayage, and transportation of household goods and personal effects of civilian officers and employees of any of the executive departments or establishments of the United States when transferred from one official station to another for permanent duty shall hereafter be allowed and paid, when specifically authorized or approved by the head of the department or establishment concerned, under such rules and regulations as may be prescribed by the President, which regulations shall prescribe, among other matters, the maximum weight of the property, not to exceed five thousand pounds gross or the equivalent thereof when transportation charges are based on cubic measurement, which may be packed, crated, hauled, transported, and unpacked at Government expense: *Provided*, That no part

of such expenses shall be paid from Government funds where the transfer is made at the request and primarily for the convenience or benefit of the officer or employee: *Provided further*, That nothing herein shall affect the allowance and payment of expenses for, or incident to, the transportation of effects of officers and employees of the Foreign Service, Department of State, except where the transfer is made at the request and primarily for the convenience or benefit of the officer or employee.

H. Executive Order No. 8588, approved November 7, 1940 (5 F. R. 4448), provides in pertinent part:

PREScribing REGULATIONS GOVERNING THE PAYMENT OF EXPENSES OF TRANSPORTATION OF HOUSEHOLD GOODS AND PERSONAL EFFECTS OF CERTAIN CIVILIAN OFFICERS AND EMPLOYEES OF THE UNITED STATES

By virtue of and pursuant to the authority vested in me by the act of October 10, 1940, Public No. 839, 76th Congress, entitled "An Act To provide for uniformity of allowances for the transportation of household goods of civilian officers and employees when transferred from one official station to another for permanent duty", I hereby prescribe the following regulations governing the allowance and payment from Government funds of expenses now or hereafter authorized by law for the packing, crating, drayage, transportation, and unpacking of household goods and personal effects of civilian officers and employees of any of the executive departments or establishments of the United States when

transferred from one official station to another for permanent duty:

SECTION 1. When any civilian officer or employee of any of the executive departments or establishments of the United States, hereinafter called employee, is transferred from one official station to another for permanent duty and the payment of expenses of transportation of his household goods and other personal effects is authorized by law, such expenses, when specifically authorized or approved by the head of the department or establishment concerned, shall be allowed and paid in accordance with the provisions of these regulations.

SECTION 2. *Maximum Allowances for Transportation.* (a) *Weight.*—The actual costs of transportation of the household effects and other personal property of the employee, not in excess of 5,000 pounds gross, and of the packing, crates, boxes, lift vans, or other temporary containers required for the shipment, shall be allowed: *Provided*, That employees who have no dependents living with them shall be entitled to the transportation of household effects and other personal property not in excess of 2,500 pounds gross. Gross weight shall include the net weight of the property and the weight of the usual containers of the property, but shall not include the weight of packing, crates, boxes, or lift vans which have no connection with the property except for the purposes of the immediate shipment and which do not constitute a continuing part of the property of the employee.

For the application of the limitations prescribed by this subsection the gross weight of the property shall be computed

as being 80 percent of the combined weight of the property and the packing and crating used for the shipment: *Provided*, That in case of shipments involving transportation by vessel over all or part of the distance the gross weight of the property shall be computed as being 50 percent of the combined weight of the property and the packing, crating, boxing, and lift vans used for the shipment: *And provided further*, That when shipment is by motor freight the gross weight of the property shall be the actual weight of the goods transported. Thus, transportation will be allowed at Government expense for property when packed, crated, boxed, or placed in lift vans for shipment, within the following maximum weights:

	<i>Pounds</i>
Employees having dependents living with them:	
Shipment involving transportation by vessel over all or part of route	10,000
Shipment by rail only	6,250
Shipment by motor freight only	5,000
Employees having no dependents living with them:	
Shipment involving transportation by vessel over all or part of route	5,000
Shipment by rail only	3,125
Shipment by motor freight only	2,500

(b) *Volume.*—Where charges for transportation are computed on a basis of measurement rather than weight, charges will be allowed regardless of weight for not to exceed 29 measurement tons of 40 cubic feet each, inclusive of packing, crating, and lift vans: *Provided*, That employees who have no dependents living with them shall be allowed charges for not to exceed 22 measurement tons.

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SECTION 3. Allowances for Packing, Crating, Unpacking, and Uncrating.—The actual costs of packing, crating, unpacking,

and uncrating shall be allowed: *Provided*, That no charges shall be allowed for the packing, crating, unpacking, and uncrating of property in excess of the weight or measurement allowable under section 2 of these regulations.

SECTION 4. Allowances for Drayage.—The actual costs of drayage to and from the common carrier shall be allowed: *Provided*, That in no case shall costs of drayage be allowed where door-to-door common carrier rates are applicable.

SECTION 5. Means of Shipment.—Shipment shall be made by the most economical means, taking into consideration the costs of packing, crating, drayage, unpacking, and uncrating: *Provided*, That, in computing comparative costs, the allowance which may be made for the saving of charges for packing, crating, drayage, unpacking, and uncrating resulting from the use of motor freight shall in no case exceed \$2.50 per hundred pounds: *And provided further*, That, when the head of the department or agency determines it to be in the interest of the Government, he may specifically authorize the shipment by express of articles required for immediate use at the new official station (for example, professional books, wearing apparel, bedding, or kitchen utensils, but not furniture or jewelry), which shall in no case exceed a weight of 500 pounds for employees having dependents living with them or 250 pounds for employees having no dependents living with them.

NOTE.—Section 5 was amended by Executive Order No. 9122 of April 6, 1942 (7 F. R. 2665), to read as follows:

“**SECTION 5. Means of Shipment.**—Shipment shall be by the most economical means,

taking into consideration the costs of packing, crating, drayage, unpacking, and uncrating: *Provided, however,* That the employee may have his effects moved by some means other than that determined to be most economical by paying the difference between the lowest available charges and the charges by the preferred means: *And provided further,* That, when the head of the department or agency determines it to be in the interest of the Government, he may specifically authorize the shipment by express of articles required for immediate use at the new official station (such as professional books, wearing apparel, bedding or kitchen utensils, but not furniture or jewelry), which shall in no case exceed a weight of 500 pounds for employees having dependents living with them or 250 pounds for employees having no dependents living with them. In considering comparative transportation costs as required by this section, the lowest available motor van charges may be determined by consulting published tariffs or by securing competitive bids, the use of either method to be construed as being determinative of the lowest available rate for motor transportation."

SECTION 6. *Use of Government Bill of Lading.*—Shipment shall be made on Government bill of lading whenever possible; otherwise reimbursement shall be made to the employee for transportation expenses actually and necessarily incurred within the limitations prescribed by these regulations. If property in excess of the amount allowable under these regulations is shipped on a Government bill of lading with the authorized allowance the employee shall immediately upon completion of the shipment pay to the proper officer of the department or

establishment an amount equal to the charge for the transportation of such excess.

SECTION 7. *Computation of Excess Costs.*—Excess costs payable by the employee shall be computed from the total charges according to the ratio of excess weight to the total weight of the shipment.

SECTION 8. *Use of lift vans.*—Charges allowable hereunder for packing and crating and for transportation shall include expenses incurred in hiring, transporting, and packing lift vans when shipments are made in whole or in part by water, but shall not include charges in connection with any shipment of empty lift vans or for payment of storage charges or import duties on lift vans.

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SECTION 10. *Valuation.*—The valuation of property as declared for shipping purposes shall not exceed that at which the lowest freight rates will apply. Should the employee desire a higher valuation, he must assume all costs of transportation in excess of the charges at the lowest rate.

SECTION 11. *Shipment from point other than last official station.*—The expenses of transportation allowable hereunder shall be payable whether the shipment is from the last official station of the employee to the new one, or from some previous place of residence of the employee to the new official station, or partially from both: *Provided*, That the expenses payable shall in no case exceed the costs of shipment by the most economical route from the last official station to the new: *And provided further*, That no expenses shall be allowable for the transportation of property acquired en route from the last official station to the new.

NOTE.—Section 11 was amended by Executive Order No. 9122 of April 6, 1942 (7 F. R. 2665), to read as follows:

"SECTION 11. Shipment from points other than official station.—The expenses of transportation authorized hereunder shall be allowable whether the shipment originates from the employee's last official station or from some previous place of residence, or partially from both: *Provided*, That the cost to the Government shall not exceed the cost of shipment in one lot by the most economical route from the last official station to the new. Shipments involving a cost greater than that authorized by this section may be made on a Government bill of lading, but the employee shall be required to reimburse the Government for the excess cost immediately upon completion of the shipment. No expenses shall be allowable for the transportation of property acquired en route from the last official station to the new. For the purposes of these regulations, the term 'official station' shall be construed to include any point from which the employee commutes daily to his official post of duty."

SECTION 12. Time limit.—All shipments allowable under these regulations shall begin within six months of the effective date of the transfer of the employee unless an extension is specifically granted by the head of the department or establishment: *Provided*, That in no case shall payment be allowable for shipments begun after two years from the effective date of the transfer.

NOTE.—Section 12 was amended by Executive Order No. 9122 of April 6, 1942 (7 F. R. 2665), to read as follows:

"SECTION 12. Time limit.—All shipments allowable under these regulations shall begin within six months of the effective date of the transfer of the employee unless an extension is specifically granted by the head of the department or establishment. Such an extension shall be approved by the head of the department or establishment within the six months' period during which shipment would otherwise begin and shall in no case be for a period exceeding two years from the effective date of the transfer, except that, for employees who enter upon active military, naval, or Coast Guard duty at any time prior to the expiration of the period within which transportation of their effects is authorized and who are furloughed for the duration of such duty, the extension may be made effective until a date not more than sixty days following the date of termination of the furlough."

SECTION 15. Preparation of Vouchers.—In preparing vouchers for payments under these regulations the following conditions shall be observed:

(a) *Statement of Weight.*—When charges for transportation are based upon weight, the actual (not estimated) weight shall be shown.

(b) *Itemization of Charges.*—Where services rendered cover, in addition to transportation, such other services as packing, crating, drayage, unpacking, and uncrating, the total charge for the services shall be itemized so as to show the charge for each service.

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SECTION 16. Exemption of Foreign Service Officers.—The provisions of these regulations shall not apply to the transportation

of effects of officers and employees of the Foreign Service of the Department of State: *Provided*, That section 14 shall have full force and effect with respect to such transfers.

SECTION 17. Effective Date. This order shall be effective as of October 10, 1940, and shall be published in the Federal Register.

FRANKLIN D. ROOSEVELT.